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10/629,877	07/29/2003	Mahmoud K. Jibbe	03-0272	5581

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EXAMINER

DOAN, DUC T

ART UNIT PAPER NUMBER

2188

DATE MAILED: 09/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/629,877

Applicant(s)

JIBBE, MAHMOUD K.

Examiner

Duc T. Doan

Art Unit

2188

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Status of Claims*

Claims 1-27 are in the application.

Claims 1-27 are rejected.

### *Claim Objections*

Claim 1 is objected to because:

- a) lines 8, 10 the phrase “the second array controller module” lacks antecedent basis. It appears to be “the second storage array controller module”.
- b) line 8, the phrase “wherein the second array controller module provides an availability signal to the second storage array controller module” is unclear of the reason for a controller module to provide an availability signal to itself. It appears the phrase should be ““wherein the first storage array controller module provides an availability signal to the second storage array controller module””.

All dependent claims are objected to as having the same deficiencies as the claims they depend from.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any

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person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 3 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, has possession of the claimed invention.

The phrase "Fibre Channel quick loop switch" is unclear. Examiner cannot find any information in the specification that describes "Fibre Channel quick loop switch".

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,4,8-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoya (US Pub 2004/0139365) and in view of Cruyningen (US Pub 2002/0019897).

As for claim 1, Hosoya describes a storage array network, comprising: a first and second storage array controller module (Fig 5: #50 resource management modules), wherein each

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storage array controller module has a first and second array controller unit; and an array of storage devices (Fig 5: #70), wherein the first storage array controller module is a primary storage array controller that normally performs storage array controller functions and the second storage array controller module is a redundant back up (Hosoya's page 4 paragraph 55; page 5 paragraphs 66-67); wherein the second array controller module provides an availability signal to the second storage array controller module, wherein if the second array controller module does not receive a signal from the first storage array controller module within a given period of time, the second storage array controller module asserts control over the array of storage devices (Hosoya's page 6 paragraphs 74-75, heartbeat signals in resource management master/slave modules are checked periodically to detect failures; fail-over to slave memory taking place when failure is identified; page 6 paragraph 68). Hosoya does not describe the claim's detail of first and second array controller units. However Cruyningen describes a storage array configuration (Cruyningen's Fig 7) in which multiple disks units (Cruyningen's Fig 7 disks in unit 20a and disks in unit 20b) are grouped and controlled by the controller Fig 7: #10a. It would have been obvious to one of ordinary skill in the art at the time of invention to include grouping disks into units as suggested by Cruyningen in Hosoya's system such that devices can be easily managed; for example ~~an~~ an additional unit of storage being added into an existing storage channel partition (Cruyningen's page 3 paragraph 42).

As for claims 2,4 Hosoya's describes a storage array switch electrically connected between the first and second storage array controller modules and the array of storage devices (claim 2; Hosoya's Fig 5: #40); first and second interface switches and first and second host devices electrically connectable to the first and second storage array controller modules through

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the first and second interface switches (claim 4; Hosoya's Fig 4: #40 switches connecting host computer and resources management modules).

As for claim 8-9, Hosoya describes wherein redundancy and drive control is accomplished through multiple storage array controller modules (claim 8); wherein, if one of the storage array controller modules fails, another storage array controller module assumes control (claim 9) (Hosoya's page 6 paragraph 75).

Claims 5-7 rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoya (US Pub 2004/0139365), Cruyningen (US Pub 2002/0019897) as applied to claim 1, and further in view of Deng (US 6937608 ).

As for claims 5-7 wherein the first array controller units of the first and second storage array controller modules are grouped together into a first multicast group (claim 5); wherein a host broadcasts a command to the first multicast group (claim 6); wherein frames for the first array controller unit of the first storage array controller module are forwarded to the first array controller unit of the second storage array controller module (claim 7); Hosoya describes in the event of a failure, the host command is forwarding using the forwarding table in the switch (Hosoya's page 8 paragraph 98; Examiner notes that Cruyningen describes commands to disks are preferred managed as a "group" unit; Cruyningen's page 3 paragraph 42). Hosoya and Cruyningen do not describe the claim's aspect of a multicast group. However, Deng describes a method for a switch to forwarding a packet to only ports in the multicast group. It would have been obvious to one of ordinary skill in the art at the time of invention to include switch forwarding scheme as suggested by Deng in Hosoya's system to reduce network traffic thereby

allowing the switch to be used for a multiple multicast streams (Deng's column 3 lines 1-10, lines 50-60).

Claims 10-12,15-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoya (US Pub 2004/0139365), Cruyningen (US Pub 2002/0019897) as applied to claim 10, and further in view of Workman et al (US Pub 2004/0068591).

As for claim 10, the claim recites a method for maintaining operation of a storage array network system, comprising: submitting a command to a primary array controller module and a secondary array controller module; performing a handshaking protocol between the primary array controller module and the second array controller module to determine which of the primary and the second array controller modules is to process the command; and timing of an aspect of the command. The claim rejected based on the same rationale as in the rejection of claim 1. Hosoya and Cruyningen do not describe the claim's detail of the handshaking protocol. However, Workman describes a handshake protocol on the heartbeat path between the first and second storage controllers to determine which of the first and second storage controllers to process the command (Workman's page 3 paragraphs 30-31; Fig 2). It would have been obvious to one of ordinary skill in the art at the time of invention to include the heartbeat signals as suggested by Workman in Hosoya's system to monitor and determine if a switch over is required (Workman's page 3 paragraph 30 lines 16-23).

As for claims 11-12, the claims recite wherein the step of performing a handshaking protocol includes the substeps of, if the primary array controller module is able, sending a primary module ready signal to the secondary array controller module; if the secondary array

controller module is able, sending a secondary module ready signal to the primary array controller module; and if the primary array controller module is able, processing the command before an expiration of a given time (claim 11); wherein the step of performing a handshaking protocol includes the substeps of if the primary array controller module is able, sending a primary module acknowledge signal to the secondary array controller module upon receipt of the secondary module ready signal (claim 12). The claim rejected based on the same rationale as in the rejection of claim 10.

As for claim 15, Hosoya and Cruyningen do not describe the claim's detail of successfully handshaking. However, Workman describes wherein if the primary array controller module successfully handshakes with the secondary array controller module within a given time, the primary array controller module processes the command (Workman's Fig 2: #104 yes).

As for claims 16-17, the claims recite wherein if the secondary array controller module unsuccessfully handshakes with the secondary array controller module within a given time, the secondary array controller module processes the command (claim 16); wherein when the timing reaches a time limit, processing of the command is performed by the secondary array controller module (claim 17). Hosoya and Cruyningen do not describe the claim's detail of unsuccessfully handshaking. However, Workman describes the second storage device takes over the operation when the heartbeat signal failures (Workman's page 3 paragraph 35).

As for claim 18, the claim recites wherein the time limit is measured from a time of transmission of the command from a host. Hosoya and Cruyningen do not describe the claim's detail of Hosoya does not describe the claim's detail of time limit. However, Workman describes



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the algorithm is based on if commands from the host operate normally in the first storage node (Workman's page 3 paragraph 30 lines 1-7).

As for claims 19-20, Hosoya describes wherein the command is transmitted from the host through an interface switch to the primary and secondary array controller modules (claim 19; Hosoya's Fig 5: #40); wherein redundancy and drive control is accomplished through multiple storage array controller modules (claim's 20; Hosoya's Fig 5: #50).

Claim 21 rejected based on the same rationale as in the rejection of claim 9.

Claims 13-14,22-27 rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoya (US Pub 2004/0139365), Cruyningen (US Pub 2002/0019897) Workman et al (US Pub 2004/0068591) as applied to claim 12, and further in view of Jantz (US 5944838).

As for claim 13 the claim recites wherein the step of performing a handshaking protocol includes the substeps of removing the command from a queue of the secondary array controller module. Hosoya, Cruyningen and Workman do not describe the claim's detail of a command queue. However, Jantz describes separate queues containing pending commands for each I/O paths A, B. In the situation of a failure on the first I/O path A, the command is executed and removed from the alternated queue of path B (Jantz's column 7 lines 5-35). It would have been obvious to one of ordinary skill in the art at the time of invention to include the command queues as suggested by Jantz in Hosoya's system so that the I/O pending requests can be rapidly identified and restarting all such identified I/O requests on the alternate good I/O path. (Jantz's column 7 lines 28-35).

As for claim 14, the claim recites wherein the step of performing a handshaking protocol includes the substep of disabling ports associated with a drive tray bank associated with the primary array controller module. Hosoya describes the switch maintaining a forwarding table to correctly forwarding data to appropriate ports (Hosoya's page 5 paragraph 57; when a fail over occurs, data will be rerouted using the switch's ports associating with alternate paths; switching LID of modules 30A to 30B; Hosoya's page 6, paragraph 68 lines 25-36).

As for claim 22, it rejected based on the same rationale as in the rejection of claims 10,13.

As for claims 23 -24 the claim recites wherein both the primary and secondary array controller modules are in active mode (claim 23); wherein one of the primary and secondary array controller modules is in standby mode (claim 24). The rationale in the rejection of claim 22 is incorporated herein. Jantz further describes his multiple queues structures are operable in active controllers mode (Jantz's column 1 lines 45-55). Jantz's method of providing a separate queue or path B that contains identical commands as in the queue for path A would works equally well for dual controllers in standby mode.

Claim 25 rejected based on the same rationale as in the rejection of claim 14.

Claim 26 rejected based on the same rationale as in the rejection of claim 20.

Claim 27 rejected based on the same rationale as in the rejection of claim 9.

***Conclusion***

When responding to the office action, Applicant is advised to provide the examiner with the line numbers and page numbers in the application and/or references cited to assist examiner to locate the appropriate paragraphs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Doan whose telephone number is 571-272-4171. The examiner can normally be reached on M-F 8:00 AM 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on 571-272-4210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Kevin L. Ellis**  
**Primary Examiner**

